



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/929,463	08/14/2001	Francois Bourdoncle	6633-83488	9060

7590 04/09/2003

Welsh & Katz, Ltd.
Eric D. Cohen
22nd Floor
120 South Riverside Plaza
Chicago, IL 60606

EXAMINER

VEILLARD, JACQUES

ART UNIT	PAPER NUMBER
----------	--------------

2175

DATE MAILED: 04/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/929,463

Applicant(s)
Bourdoncle et al.

Examiner
JACQUES VEILLARD

Art Unit
2175

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Aug 14, 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 4, 5 6) ☐ Other:

Art Unit: 2175

DETAILED ACTION

1. This office action is in response to the Applicant's application filed on 8/14/2001.
2. Claims 1-42 are pending and presented for examination.
3. Claims 1, 15, 28, and 31 are the independent claims. Other claims are the dependent.

Priority

4. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in EPO on 08/18/2000. It is noted, however, that applicant has not filed a certified copy of the EPO application as required by 35 U.S.C. 119(b).

Information Disclosure Statement

5. The information disclosure statement submitted on 12/7/2001 (Paper No. 4) and on 12/31/2001 (Paper No.5) was filed after the mailing date of the application on 08/14/2001. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Drawings

6. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

Art Unit: 2175

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1-42 are rejected under 35 U.S.C. 102(b) as being anticipated by Ron Weiss et al. And hereinafter "Ron Weiss" (Hypursuit: A Hierarchical Network Search Engine that Exploits Content-Link Hypertext Clustering).

As per claim 1, Ron Weiss discloses a process called Hypursuit which is a new hierarchical network search engine for searching a database of entries (See Abstract page 180 left column), comprising the steps of: providing a database of entries, at least part of said entries being mapped to a set of categories, at least part of said entries being associated with keywords; (See bottom of page 180 left column) Applicant should note that Ron Weiss recognizes that the World-Wide-Web is a distributed database wherein database of entries associated with keywords are primarily incorporated. In particular, Ron Weiss discloses in response to a query of a user the step of selecting categories among said set of categories according to the entries returned by said query (See page 186 right column especially clustering result sets paragraph); dynamically selecting keywords associated to the entries returned by said query (See page 186 right column query refinement paragraph); and displaying to the user said selected categories and said selected

Art Unit: 2175

keywords (See Fig.6, page 186 left column and information retrieval services and query routing paragraphs).

As per claims 15, 28, and 31, the claims have substantially the same limitations as claim 1. These limitations have already been addressed in the discussion of claim 1 above. Therefore, they are rejected in similar ground.

As per claim 2, Ron Weiss discloses the claimed invention, wherein the categories are organized in a tree or directed acyclic graph structure (See Fig.2, page 182 left column third paragraph and right column first and second paragraphs, and Fig.3, page 184 left column second and third paragraphs).

As per claims 16 and 32, the claims have substantially the same limitations as claim 2. These limitations have already been addressed in the discussion of claim 2 above. Therefore, they are rejected in similar ground.

As per claim 3, Ron Weiss discloses the claimed invention, wherein the keyword is a sequence of words or a sequence of stemmed words (See Fig.7, and page 187 left column “result set expansion” paragraph).

Art Unit: 2175

As per claims 17 and 33, the claims have substantially the same limitations as claim 3. These limitations have already been addressed in the discussion of claim 3 above. Therefore, they are rejected in similar ground.

As per claim 4, Ron Weiss discloses the claimed invention, wherein the selected categories and selected keywords are displayed similarly (See Figs.6 and 7, and page 186 right column second paragraph, and page 187 left column second paragraph).

As per claims 18, and 34, the claims have substantially the same limitations as claim 4. These limitations have already been addressed in the discussion of claim 4 above. Therefore, they are rejected in similar ground.

As per claim 5, Ron Weiss discloses the claimed invention, wherein the selected categories are displayed separately from selected keywords (See Fig. 6 and 7, and page 186 left column second paragraph, and page 187 left column second paragraph).

As per claims 19 and 35, the claims have substantially the same limitations as claim 5. These limitations have already been addressed in the discussion of claim 5 above. Therefore, they are rejected in similar ground.

Art Unit: 2175

As per claim 6, Ron Weiss discloses the claimed invention, further including that step of starting a new query when a user activates one of said displayed categories and keywords (See Fig.6 and 7, and page 185 left column fourth paragraph).

As per claims 20 and 36, the claims have substantially the same limitations as claim 6. These limitations have already been addressed in the discussion of claim 6 above. Therefore, they are rejected in similar ground.

As per claim 7, Ron Weiss discloses the claimed invention, wherein the step of activating includes excluding from the said query of the user a displayed category or keyword (See 180 right column second paragraph)..

As per claims 21 and 37, the claims have substantially the same limitations as claim 7. These limitations have already been addressed in the discussion of claim 7 above. Therefore, they are rejected in similar ground.

As per claim 8, Ron Weiss discloses the claimed invention, wherein the step of activating includes refining the query of the user to said category or keyword (See Fig.6, page 185 left column bottom of third paragraph, and page 186 right column fourth paragraph).

Art Unit: 2175

As per claims 22 and 38, the claims have substantially the same limitations as claim 8. These limitations have already been addressed in the discussion of claim 8 above. Therefore, they are rejected in similar ground.

As per claim 9, Ron Weiss discloses the claimed invention, further including displaying to the user a list of entries returned by the query (See Figs.6 and 7, and page 186 bottom left column and page 187 right column first paragraph).

As per claims 23 and 39, the claims have substantially the same limitations as claim 9. These limitations have already been addressed in the discussion of claim 9 above. Therefore, they are rejected in similar ground.

As per claim 10, Ron Weiss discloses the claimed invention, further including displaying in said list a category to which at least an entry of said list is mapped (See Figs. 6 and 7, and page 187 left column third paragraph).

As per claims 24 and 40, the claims have substantially the same limitations as claim 10. These limitations have already been addressed in the discussion of claim 10 above. Therefore, they are rejected in similar ground.

Art Unit: 2175

As per claim 11, Ron Weiss discloses the claimed invention, further including displaying the entries included in a category when the user selects said category in said list (See Figs.6 and 7 at page 186 left column and page 187 right column).

As per claims 25 and 41, the claims have substantially the same limitations as claim 11. These limitations have already been addressed in the discussion of claim 11 above. Therefore, they are rejected in similar ground.

As per claim 12, Ron Weiss discloses the claimed invention, further including ranking the entries included in said category before they are displayed (See page 183 right column second paragraph)..

As per claims 26 and 42, the claims have substantially the same limitations as claim 12. These limitations have already been addressed in the discussion of claim 12 above. Therefore, they are rejected in similar ground.

As per claim 13, Ron Weiss discloses the claimed invention, wherein categories are hierarchically organized, and wherein the step of displaying includes displaying categories of different hierarchical levels (See Figs 2 and 3, and page 183 right column fourth paragraph).

Art Unit: 2175

As per claim 14, Ron Weiss discloses the claimed invention, wherein a category is formed of a set of at least two attributes (See Fig.5).

As per claim 27, the claim has substantially the same limitations as claim 14. These limitations have already been addressed in the discussion of claim 14 above. Therefore, it is rejected in similar ground.

As per claims 29 and 30, Ron Weiss discloses the claimed invention, wherein the search server is a HTTP server; wherein the entries are textual entries and the database includes an inverted index, said categories being entries of said inverted index (See page 190 left column third paragraph, and page 192 left column first paragraph).

Other Prior Art Made of Record

9.	Blewett et al.	U. S. Pat No. 6,199,061,
	Moricz et al.	U. S. Pat No. 6,411,950,
	Bharat et al.	U. S. Pat No. 6,112,203,
	Maynard	U. S. Pat. No. 6,175,830,
	Jacobson et al.	U. S. Pat. No. 6,167,397,
	Shmueli et al.	U. S. Pat. No. 6,044,375,
	Agrawal et al.	U. S. Pat. No. 5,799,311,

Art Unit: 2175

Inoue et al.

U. S. Pat. No. 6,014,678, and

Ushioda

U. S. Pat No. 6,178,396.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

11. **Any response to this action should be mail to:**

Commissioner of Patent and Trademarks

Washington, D.C. 20231

Or faxed to:

(703) 746-7239 (for formal communication intended for entry)

Or:

(703) 746-7240 (for informal of draft communications, please label

“PROPOSED” or “DRAFT”)

Hand - delivered responses should be brought to Crystal Park II, 2021 Crystal Drive, Arlington.

VA, Fourth Floor Lobby (Receptionist Telephone No. (703) 305-3900).

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacques Veillard whose telephone number is (703) 305-7094. The examiner can normally be reached Monday through Friday from 9:30 AM to 4: 30 PM.

Art Unit: 2175

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici, can be reached on (703) 305-3830. The fax phone number for this group is (703) 308-5403.

Jacques Veillard

Jacques Veillard
Patent Examiner TC 2100

April 4, 2003



HOSAIN T. ALAM
PRIMARY EXAMINER